

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: SAN FRANCISCO

FILED
07 OCT 16 PM 4:18
RICHARD W. KING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
0653

UNITED STATES OF AMERICA,

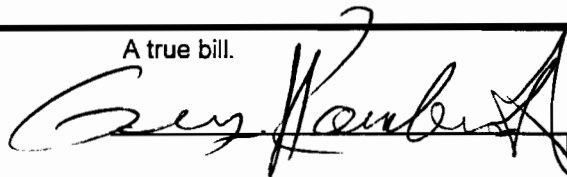
ABEL LOPEZ-MENERA,
a/k/a Jose Lopez-Martinez,
a/k/a Bernabe Banderas Lopez,

DEFENDANT.

INDICTMENT

8 U.S.C. § 1326 - Illegal Reentry Following Deportation

A true bill.


Foreman

Filed in open court this 16th day of October, 2007


Clerk

BETTY FONG

EDWARD M. CHEN
UNITED STATES MAGISTRATE JUDGE

No Process

Bail, \$ _____

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 8 U.S.C., Section 1326 - Illegal
 Reentry by an Alien After
 Deportation (Class C Felony)

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 Maximum Prison Term of Ten Years;
 Maximum Fine \$250,000;
 Maximum Term of Supervised Release of Three Years;
 Mandatory Special Assessment of \$100.
CR**07****PROCEEDING**
 Name of Complainant Agency, or Person (& Title, if any)
 Department of Homeland Security/Immigration Customs Enforcement

☐ person is awaiting trial in another Federal or State
 Court, give name of court

☐ this person/proceeding is transferred from another
 district per (circle one) FRCrP 20, 21 or 40. Show
 District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on
 motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a
 pending case involving this same
 defendant

☒ prior proceedings or appearance(s)
 before U.S. Magistrate regarding
 this defendant were recorded under
SHOW
DOCKET NO.MAGISTRATE
CASE NO.

07-70588

 Name and Office of Person
 Furnishing Information on
 THIS FORM
SCOTT N. SCHOOLS
☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

Tarek J. Helou

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA
DEFENDANT - U.S.

ABEL LOPEZ-MENERA, a.k.a. Jose Lopez-Martinez

DISTRICT COURT NUMBER

CR**07****0653****SI****DEFENDANT****IS NOT IN CUSTODY**
 1) ☐ Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons
 was served on above charges

 2) ☐ Is a Fugitive

 3) ☐ Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

IS IN CUSTODY
 4) ☒ On this charge

 5) ☐ On another conviction

 6) ☐ Awaiting trial on other
 charges

☒ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

 Has detainer
 been filed? ☐ Yes ☐ No

 If "Yes"
 give date
 filed

**DATE OF
 ARREST**

Month/Day/Year

9/24/2007

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
 TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS*

☐ WARRANT Bail Amount: No bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

 *Where defendant previously apprehended on complaint, no new summons
 or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

FILED
07 OCT 16 PM 4:18
RICHARD W. WIEGANG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CR 07 0653

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
ABEL LOPEZ-MENERA,
a/k/a Jose Lopez-Martinez,
a/k/a Bernabe Banderas Lopez,
Defendant.

No.

VIOLATION: 8 U.S.C. § 1326 – Illegal
Reentry Following Deportation

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

On or about September 24, 2007, in the Northern District of California, the defendant,

ABEL LOPEZ-MENERA,
a/k/a Jose Lopez-Martinez,
a/k/a Bernabe Banderas Lopez,

an alien, after having been removed, excluded, and deported from the United States, voluntarily
reentered and knowingly remained in the United States and was thereafter found in the United
States without having obtained the express consent of the Attorney General or the Secretary of the

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INDICTMENT

Department of Homeland Security to reapply for admission into the United States, in violation of Title 8, United States Code, Section 1326.

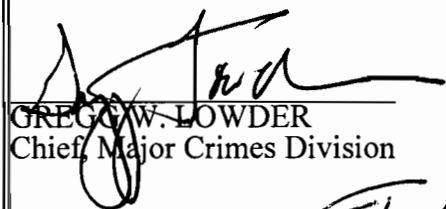
DATED:

10/16/07

A TRUE BILL.


FOREPERSON

SCOTT N. SCHOOLS
United States Attorney


GREGG W. LOWDER
Chief, Major Crimes Division

(Approved as to form:


AUSA HELOU

INDICTMENT